

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 IO-10 ISO-00 FEA-01 SSO-00 NSCE-00

USIE-00 INRE-00 AF-06 ARA-06 EA-06 NEA-10 FTC-01

JUSE-00 OIC-02 AGR-05 CEA-01 CIAE-00 COME-00 DODE-00

FRB-03 H-02 INR-07 INT-05 L-03 LAB-04 NSAE-00 NSC-05

PA-01 AID-05 CIEP-01 SS-15 STR-04 TAR-01 TRSE-00

PRS-01 SP-02 OMB-01 /128 W
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FM USMISSION GENEVA

TO SECSTATE WASHDC IMMEDIATE 4837

INFO USUN NEW YORK 2113

USMISSION EC BRUSSELS

USMISSION OECD PARIS

LIMITED OFFICIAL USE GENEVA 5825

E.O. 11652: N/A

TAGS: ECOSOC, EINV

SUBJECT: 59TH ECOSOC: ITEM NO. 14, ECONOMIC COMMITTEE, TRANSNATIONAL
CORPORATIONS

REFERENCE: (A) STATE 171348; (B) STATE 164844;
(C) GENEVA 5762

1. AFTER AGREEMENT REACHED ON CONSENSUS RESOLUTION AS PER
REFS A AND C IN SMALL NEGOTIATING GROUP TODAY WHICH WOULD
HAVE SECOND PREAMBULAR PARA READ "RECALLING ALSO THE
PERTINENT PROVISIONS OF GENERAL ASSEMBLY RESOLUTIONS
3201 (S-VI) AND 3202 (S-VI) OF 1 MAY 1974 AND GENERAL
ASSEMBLY RESOLUTION 3281 (XXIX) CONTAINING THE CHARTER
OF ECONOMIC RIGHTS AND DUTIES OF STATES, WHICH RELATE
TO THE ACTIVITIES OF TRANSNATIONAL CORPORA-
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TIONS", MEXICAN DEL (WHICH WAS REPRESENTED IN NEGOTIA-

ING GROUP) INSISTING THAT THE WORDS "WHICH RELATE TO THE ACTIVITIES OF TNCS" BE REPLACED BY "AND GIVING DUE REGARD TO THE GUIDELINES CONTAINED IN THOSE RESOLUTIONS".

2. US DEL HAS RESISTED MEXICAN DEMAND AS REOPENING THE RESULTS OF THE NEGOTIATING GROUP. MEXICAN ARGUMENT IS THAT US DEL TO FIRST SESSION OF CTC ACCEPTED THIS LANGUAGE FOR INCLUSION INTO PARA 1 OF REPORT ON THE FIRST SESSION OF THE CTC (E/5655) AND THAT REFUSAL TO INCORPORATE IT INTO PRESENT TNC RESOLUTION WOULD BE RENEGING ON PREVIOUSLY AGREED FORMULATION. MEXICAN REP ALSO STATED THAT, IF US REFUSED TO ACCEPT THIS FORMULATION IN INFORMAL DISCUSSIONS, THEY WOULD MOVE THIS LANGUAGE FROM THE FLOOR WHEN RESOLUTION UP FOR ADOPTION AND "PUT US INTO AN EMBARRASSING POSITION".

3. WE HAVE NOTED COMMENT IN REF B THAT DEPT DOES NOT WISH TO GO BEYOND LANGUAGE OF CTC REPORT. HOWEVER, IN LIGHT OF STATEMENT REGARDING LIMITS OF ACCEPTABLE PREAMBULAR LANGUAGE CONTAINED IN FIRST SENTENCE REF A, REQUEST ASAP DEPT'S INSTRUCTIONS ON WHETHER WE CAN NOW GO ALONG WITH LANGUAGE OF CTC REPORT.

4. UK AND FRG INDICATE THEY CAN PROBABLY GO ALONG WITH ADDITION OF THIS FORMULATION BUT FRG ALSO CHECKING WITH BONN AND FEELS THAT IF IT IS TO BE INCLUDED THEY WILL HAVE TO REITERATE THAT THEIR POSITION ON THE RELEVANT ARTICLES OF CERDS REMAINS UNCHANGED.DALE

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